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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

No. CR-08-0531-JSW

v.

STIPULATION AND [PROPOSED]  
ORDER DOCUMENTING WAIVER

JONATHAN CRUZ-RAMIREZ,

Defendant.

With the agreement of the parties, and with the consent of the defendant, the Court enters this order excluding time under Speedy Trial Act from August 28, 2008 until September 11, 2008 at 2:30 pm. The parties agree and stipulate, and the Court finds and holds, as follows:

1. The defendant, Jonathan Cruz-Ramirez, was charged in a complaint dated July 29, 2008 with one count of illegal re-entry into the United States, in violation of 8 U.S.C. § 1326. The defendant was arrested on July 28, 2008. On July 30, 2008 Susan Raffanti, Esq., was appointed to represent the defendant and has represented the defendant since.

2. On August 7, 2008, the Grand Jury indicted the defendant on one count of illegal re-entry, in violation of 8 U.S.C. § 1326, and one count of alien in possession of a firearm, in

1 violation of 18 U.S.C. § 922(g)(5). The defendant was arraigned before Magistrate Judge Spero  
2 on August 1, 2008, who scheduled August 28, 2008 as the initial conference before Judge White.

3 3. The parties appeared before Judge White on August 28, 2008 and reported that the  
4 Government had already begun producing discovery and was still in the process of doing so. The  
5 parties, therefore, requested another trial setting hearing before the Court on September 11, 2008,  
6 which the Court granted. The parties also agreed that exclusion of time for Speedy Trial Act  
7 calculations would be appropriate so that the Government could continue to produce discovery,  
8 and so that the defense could review discovery, thereby ensuring effective preparation of counsel.  
9 The Court granted another hearing for the parties for September 11, 2008 at 2:30 pm, and also  
10 granted the request to exclude time under the Speedy Trial Act.

11 4. Accordingly, with the consent of the defendant, the Court hereby confirms its  
12 exclusion of the time between August 28, 2008 and September 11, 2008 from Speedy Trial Act  
13 calculations for the reasons set forth above.

14  
15 STIPULATED:

16  
17 DATED: September 4, 2008

/s/  
\_\_\_\_\_  
SUSAN RAFFANTI, ESQ.  
Attorney for JONATHAN CRUZ-RAMIREZ

18  
19  
20 DATED: September 4, 2008

/s/  
\_\_\_\_\_  
W.S. WILSON LEUNG  
Assistant United States Attorney

21  
22  
23 IT IS SO ORDERED.

24  
25 DATED: September \_\_\_\_, 2008

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HON. JEFFREY S. WHITE  
United States District Judge